

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.4011 OF 2021

Pravin V. Mate ...Applicant
Vs.
The State of Maharashtra ... Respondent

Mr.Abhijit P. Kulkarni i/b Mr.A.L. Gore for the Applicant.
Mr.R.M. Pethe, APP for the Respondent-State.
Mr.S.A. Shinde, PSI, Deccan Police Station.

CORAM : C.V. BHADANG, J.

DATE : 21 FEBRUARY 2022

P.C.

. This is an Application for bail. The Applicant along with others has been charge-sheeted for the offence punishable under Section 406, 420 read with Section 34 of the Indian Penal Code arising out of Crime No.612 of 202 of Deccan Police Station, Pune.

2. The prosecution case as disclosed from the FIR lodged by Vikas Sawant is that co-accused Ajaz Sherkar and the Applicant had formed M/s.Samruddhi Investments Ltd., and M/s.Longwalk Zambia Ltd., and had represented the Complainant and others that there is a good market in Zambia for Indian goods such as notebooks, sanitary napkins, electrical

articles and PVC pipes etc., Accordingly seven containers of such goods were exported to Zambia and sold there. However, the Applicant and co-accused did not pay the amount of Rs.1,63,49,130/- to the suppliers.

3. I have heard the learned counsel for the parties. Perused record.

4. A perusal of the statements of the witnesses including Raghvendra Kulkarni and Vijay Patil show that the Applicant had introduced Ajaz Sherkar who was conducting the business of export and import in Zambia. The allegation against the Applicant is that he had induced the suppliers of these goods for such an export through the company established by Ajaz Sherkar. The witness Vijay Patil claims that he had invested an amount of Rs.10 Lakhs in the said business. However, the amount was not returned and even the share of the profit was not paid. *Prima facie* it appears that the role of the Applicant is that he had introduced Ajaz Sherkar to Vijay Patil.

5. The Applicant claims to be working as an operational Manager in M/s.Smruddhi Investments Ltd. The investigation in this offence is complete and the charge-sheet is filed. One of the reasons for which the Sessions Judge has refused to grant bail is the possibility of the abscondance of the Applicants which in my

considered view, can be taken care of by imposing conditions. As noticed earlier the Applicant claims to be an employee of the company. Considering the overall circumstances, the following order is passed.

ORDER

- (i) The applicant be released on bail, on furnishing a P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties, in the like amount.
- (ii) The applicant shall undertake to remain present during the course of the trial unless exempted.
- (iii) The applicant shall surrender his passport before the learned Trial Court.
- (iv) The bail bonds to be furnished before the learned Trial Court.

C.V. BHADANG, J.